

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

CHRISTIAN BROTHERS EMPLOYEE
RETIREMENT PLAN, and DAN STREMEL,
in his capacity as Chairperson of the Pension Board,

Plaintiff,

v.

ALLIANZ GLOBAL INVESTORS U.S. LLC,
ALLIANZ GLOBAL INVESTORS U.S.
HOLDINGS LLC, ALLIANZ SE, ALLIANZ
ASSET MANAGEMENT GMBH, ALLIANZ OF
AMERICA, INC., ALLIANZ ASSET
MANAGEMENT OF AMERICA HOLDINGS
INC., ALLIANZ ASSET MANAGEMENT OF
AMERICA LLC, ALLIANZ ASSET
MANAGEMENT OF AMERICA LP, AND PFP
HOLDINGS INC.,

Defendants.

Case No. 21-cv-07388 (KPF)

**STIPULATION AND ORDER CONCERNING VOLUNTARY
DISMISSAL PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 41(a)(1)**

WHEREAS, on December 7, 2020, the Court entered Civil Case Management Plan # 1 (the “CMP”) in *Arkansas Teacher Retirement System v. Allianz Global Investors US LLC et al.*, No. 20-cv-05615 (KPF) (“ATRS Action”) (ATRS Action, ECF No. 65) and certain other proceedings designated as related to the ATRS Action (collectively, the “Related Actions”);

WHEREAS, the Court ordered that the CMP be entered in and apply to the above-captioned action on October 20, 2021 (ECF No. 36) (the “October 20, 2021 Order”); and

WHEREAS, the CMP and the October 20, 2021 Order provided for the voluntary dismissal and tolling of claims against certain Defendants.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED:

1. Pursuant to Federal Rule of Civil Procedure 41(a)(1), Plaintiffs Christian Brothers Employee Retirement Plan, and Dan Stremel, in his capacity as Chairperson of the Pension Board (“Plaintiffs”), by and through the undersigned counsel, hereby voluntarily dismiss all claims against Defendants Allianz Global Investors U.S. Holdings LLC, Allianz SE, Allianz Asset Management GmbH, Allianz of America, Inc., Allianz Asset Management of America Holdings Inc., Allianz Asset Management of America LLC, Allianz Asset Management of America LP, and PFP Holdings Inc. (the “Affiliate Defendants,” and together with Plaintiffs, the “Parties”) without prejudice to their inclusion at a later time.

2. The Parties agree that, to the extent permitted by applicable law, any statute of limitations, statute of repose, or other time-related defenses or claims shall be tolled as to the Affiliate Defendants as if the claims were filed on September 2, 2021, the filing date of the Complaint (ECF No. 1), until October 12, 2022 (the “Tolling Period”).

3. The Parties shall meet and confer no later than thirty (30) days prior to October 12, 2022 to discuss extending the Tolling Period on mutual consent.

4. The Affiliate Defendants agree that they will not oppose an amendment under Federal Rule of Civil Procedure 15 asserting claims against the Affiliate Defendants as defendants or including any allegations relating to the Affiliate Defendants. The Affiliate Defendants reserve all of their rights and defenses in the event an amended complaint asserting such claims is filed, including the right to move to dismiss the Complaint.

5. The voluntary dismissal of the Affiliate Defendants is further subject to the provisions for tolling of these dismissed claims and other terms and conditions set forth in Paragraph 4 of the CMP.

Dated: October 25, 2021.

Respectfully submitted,

/s/ Michael D. Blatchley

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IT IS SO ORDERED at New York, New York on this 26th day of October, 2021.

SO ORDERED:



Katherine Polk Failla
United States District Judge